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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

	:	
Michelle McKay,	:	
Plaintiff,	:	Civil Case No.:
vs.	:	
NCB Management Services, Inc.,	:	
Defendant.	:	
	:	

VERIFIED COMPLAINT

Plaintiff, Michelle McKay ("Plaintiff"), through her attorneys, alleges the following against Defendant, NCB Management Services, Inc. ("Defendant"):

INTRODUCTION

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, *et seq.*

PARTIES

2. Plaintiff is a natural person residing at 390 Hopedale Drive SE, Bayville, Ocean County, New Jersey, 08721.

3. Defendant is a debt collection company with a business office located at 1 Allied Drive, Trevoise, Pennsylvania, 19053.
4. Defendant is a debt collector as that term is defined by 15 U.S.C. § 1692a(6), and sought to collect a consumer debt from Plaintiff.
5. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

6. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”
7. Defendant conducts business in the state of New Jersey, and therefore, personal jurisdiction is established.
8. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

FACTUAL ALLEGATIONS

9. Defendant is attempting to collect a consumer debt from Plaintiff.
10. Plaintiff’s alleged debt owed arises from transactions for personal, family, and household purposes.
11. Defendant left a message for Plaintiff, in an attempt to collect a debt, which did not disclose the caller’s identity. *See* Transcribed Voice Message, attached hereto as Exhibit A.
12. Defendant left a message for Plaintiff, in an attempt to collect a debt, which did not state the communication was from a debt collector. *See* Exhibit A.

13. Defendant's voicemail messages for Plaintiff request that Plaintiff call Defendant at 800-828-1110, a telephone number that belongs to Defendant.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

14. Defendant violated the FDCPA based on the following:

- a. Defendant violated § 1692d of the FDCPA by engaging in conduct that the natural consequences of which was to harass, oppress, and abuse Plaintiff in connection with the collection of an alleged debt.
- b. Defendant violated § 1692d(6) of the FDCPA by placing telephone calls without meaningful disclosure of the caller's identity.
- c. Defendant violated § 1692e of the FDCPA by using false, deceptive, and misleading representations in connection with the collection of any debt.
- d. Defendant violated § 1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt.
- e. Defendant violated § 1692e(11) of the FDCPA by failing to disclose in subsequent communications that the communication was from a debt collector.

Wherefore, Plaintiff, Michelle McKay, respectfully requests judgment be entered against Defendant, NCB Management Services, Inc., for the following:

15. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k,
16. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k
17. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

Please take notice that Plaintiff, Michelle McKay, demands a jury trial in this cause of action.

CERTIFICATION PURSUANT TO LOCAL RULE 11.2

Pursuant to Local Rule 11.2, I certify that this matter in controversy is not the subject of any other action pending in any court, arbitration, or administrative proceeding.

DATED: July 26, 2011

Respectfully Submitted,

The Law Offices of Jennifer M. Kurtz, LLC

By: /s/ Jennifer M. Kurtz

Jennifer M. Kurtz
Attorney for Plaintiff,
Michelle McKay

VERIFICATION

STATE OF NEW JERSEY

Plaintiff, Michelle McKay, being duly sworn, deposes and says:

1. I am the Plaintiff in this civil proceeding;
2. I have read the foregoing Verified Complaint prepared by my attorneys and I believe that all of the facts contained therein are true and correct, to the best of my knowledge, and formed after reasonable inquiry;
3. I believe that this civil Complaint is well ground in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law;
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it;
6. Each and every exhibit I have provided to my attorneys, which has/have been attached to this Complaint, is/are true and correct copy(s) of the original(s); and
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated the exhibit(s), except that some of the attached may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, Michelle McKay, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: 8/1/11



Michelle McKay